THE HONOURABLE MR JUSTICE K.C.BHANU

WRIT PETITION No.20424 of 2005

Dated: 16.09.2005

Between:

Bathula Madhukar Christopher

…PETITIONER

And:

The Chief Manager,

Corporation Bank, 9-1-86/1,

Sardar Patel Road, Besides St.Ann's High School,

Nehrunagar, Secunderabad

…RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents for conducting open auction dated 16.09.2005 of the petitioner flat No.306, 3rd floor Gayatri Nilayam, behind Chandanagar Police Station, Chandanagar, Hyderabad, and publishing the same in Public Notice in Newspaper without notice, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner.

The learned counsel for the petitioner contended that without issuing any notice, the respondents made a paper publication for conducting auction of the petitioner property, and therefore, he prays to allow the writ petition.

Admittedly, the petitioner took a loan of Rs.8 lakhs from the

1st respondent Bank to purchase a flat and subsequently he became defaulter. There is no allegation in the affidavit filed in support of the petition that any statutory or legal right of the petitioner has been infringed in conducting auction of the property by the respondents. Merely on the ground that no notice has not been issued before conducting auction of the property, the writ petition cannot be

entertained, as there is no violation of principles of natural justice on the part of the respondents. Therefore, the writ petition is devoid of merit and liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

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K.C.BHANU,J

Dated: 16.09.2005

Dsr